APPENDIX LI.

[*See* Rule 769.]

RULES REGULATING THE GRANT OF LEAVE TO OFFICERS OF NON-ASIATIC DOMICILE ENGAGED ON CONTRACT AND SPECIALLY RECRUITED OVERSEAS FOR SERVICE IN INDIA.

1. Where the contract is for one year or less, no leave except on medical certificate (on average or half average pay), which would ordinarily be limited to two months reckoned in terms of leave on average pay, is admissible.

2. Where the contract is for more than one year and less than three years, leave on average pay up to 1/11th of the period spent on duty, to which may be added on medical certificate leave on average pay or half average pay, provided that the total leave granted shall not exceed three months reckoned in terms of leave on average pay, is admissible.

3. Where the contract is for three years and over, leave on average pay up to 1/11th of the period spent on duty, up to a maximum of three months at a time or four months at a time if leave is spent out of India, to which may be added on medical certificate leave on average or half average pay up to a maximum of three months reckoned in terms of leave on average pay, is admissible :

Provided that the total amount of leave admissible under the above rules reckoned in terms of average pay, should be limited to 5/22nds of the period spent on duty.

In the case of officers coming under Rules 2 and 3—

(*a*) three months' extraordinary leave without pay may be granted in addition to the above ; and

(*b*) if the officer is in a Vacation Department, leave may only be granted in case of urgent necessity and if granted shall be on half average pay for a period not exceeding 1/11th of the period spent on duty in addition to any leave admissible on medical certificate. The officer may, however, be granted leave on leave-salary equivalent to average pay to the extent of one month for each year on duty in which he has not availed himself of any part of a vacation and if a part only of the vacation has been taken in any year, the period of leave on average pay will be reduced by a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

In cases where—

(*a*) the contract is for a longer term than five years, or

(*b*) an original contract for five years is extended, or

(*c*) on completion of his original contract of whatever term, a Government servant is taken into permanent appointment—

leave will be granted in accordance with such terms as Government may prescribe in each case.

Leave may be granted after the expiry of contract only where it has been applied for during the period of the contract and refused owing to the exigencies of the public service.

An officer whose services are dispensed with on grounds of ill-health may be permitted to take all leave due to him before his service is terminated.

Note 1.—Where an original contract is extended so as to make the total period of service longer than 5 years the officer in question shall be granted leave in accordance with such terms as Government may prescribe in each case.

Note 2.—In any case where the contract provides for admission to the ordinary or special leave rules in the Bombay Civil Services Rules or the Revised Leave Rules, 1935, the conditions as well as the terms of these rules shall apply in their entirety in supersession of any concession under the rules in this Appendix.

Note 3.—When a Government servant combines vacation with leave, the period of vacation shall be reckoned as leave in calculating the maximum limit of three months or four months, as the case may be, prescribed in the first sub-paragraph of this rule.

Note ——Leave on average pay admissible under Rules 2 and 3 in this Appendix should be calculated on the amount of duty as expressed in terms of years, months and days (fractions of a day being rounded of) as is done in the case of leave under the Bombay Civil Service Rules.

4. The principle that leave may be granted after the expiry of contract, where it has been applied for during the period of the contract and refused owing to the exigencies of the public service, is applicable also to officers serving on contract at the time these rules are promulgated.